

10/666186

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT NO :6,829,916 B1
ISSUE DATE :December 14, 2004
INVENTOR :Devecki
TITLE :SCUBA TANK LOCK
SERIAL NUMBER :10/666,186
FILING DATE :09/17/03
OUR FILE NO. :2486.001

Certificate of Mailing Under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on

(date)

Cathy N. Nicholson

**PETITION REQUESTING ISSUANCE OF CORRECTED PATENT OR
ALTERNATIVELY A CERTIFICATE OF CORRECTION
UNDER 37 CFR 1.322**

Certificate of Corrections Branch
Commissioner For Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Certificate
JAN 14 2005
of Correction

Sir:

This is a Petition requesting the issuance of a certificate of correction for the above-identified patent under 37 CFR 1.322. During the pendency of the above-identified application, formal drawings were timely filed in the Office by the Applicant. Due to an Office mistake, the application issued as U.S. Patent No. 6,829,916 on December 14, 2004 with informal drawings in the form of rough, hand-drawn sketches. The Applicant believes the published patent should include the timely filed formal drawings for clarity of disclosure.

JAN 18 2005

FACTS

The Applicant in the above-identified application received a Notice of Allowance dated September 17, 2004. In the Notice of Allowability mailed with the Notice of Allowance, it was stated corrected drawings must be submitted which included changes required by the Form PTO-948 attached to the Notice. The Notice set forth a period for response expiring November 15, 2004.

On October 29, 2004 the issue fee and Form PTO-85 were submitted to the Office by the Applicant. Also on October 29, 2004, in a separate mailing, the Applicant filed the Submittal of Formal Drawings in the Office which included 3 drawings sheets containing formal drawings Figs. 1-5. The Submittal of Formal Drawings requested substitution of the formal drawings for the informal drawings of record in the application. A copy of this submission is enclosed herewith, as well as a copy of the stamped postcard confirming receipt of the drawings in the Office on November 10, 2004.

The formal drawings were therefore timely filed in the application in response to the Notice of Allowability, and the Applicant believes the corrected drawings should have been included in the patent publication issued December 14, 2004. The Applicant submits that the omission of the formal drawings from the patent publication was an Office mistake correctable under 37 CFR 1.322.

REQUEST FOR CERTIFICATE OF CORRECTION

In the event the Commissioner's decision is to issue a certificate of correction, the

Applicant submits herewith Form PTO/SB/44 which includes the following proposed correction language: "In the drawings, the attached drawing Figures 1-5 should replace drawing Figures. 1-5 appearing in the Letters Patent." Formal drawing Figs. 1-5 are attached to the Form PTO/SB/44.

REQUEST FOR ISSUANCE OF CORRECTED PATENT IN THE ALTERNATIVE

Pursuant to 37 CFR 1.322(b), if the nature of the mistake on the part of the Office is such that a certificate of correction is deemed inappropriate in form, the Commissioner may issue a corrected patent in lieu thereof as a more appropriate form for a certificate of correction. As set forth in 35 U.S.C. 254, the Director may issue a corrected patent without charge in lieu of and with like effect as a certificate of correction.

If the Commissioner considers a certificate of correction to be inappropriate in this instance, the Applicant respectfully requests that the Commissioner issue a corrected patent with the formal drawings. The Applicant believes that the formal drawings are critical for understanding Applicant's disclosure.

The Applicant also wishes to point out that the informal drawings appearing in the published patent were previously indicated by the Office to be entirely unsuitable for publication. As set forth in the Notice of Draftsperson's Drawing Review (PTO-948) the drawings were objected to for a variety of reasons, including poor line quality, the use of solid black shading, illegible numbers, poor figure legends, and incorrect legend and margin sizes. The Applicant believes that the U.S. Patent No. 6,829,916 as published does not fulfill the requirements of 35

U.S.C. 112 because adequate drawing figures are necessary for understanding the specification, as well as to enable one skilled in the art to make and use the invention.

The required formal drawings were timely filed by the Applicant, and the Applicant therefore respectfully requests that the Commissioner exercise the discretion provided under 35 U.S.C. 254 to issue a corrected patent in lieu of and with like effect as a certificate of correction.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any required fees in connection with this Petition to Deposit Account No. 13-0439.

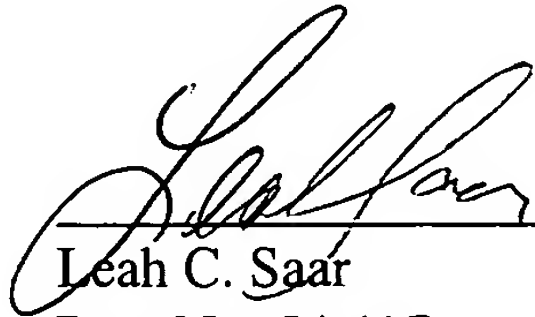
CONCLUSION

The Applicant respectfully requests the granting of this Petition and appropriate corrective action by the Office.

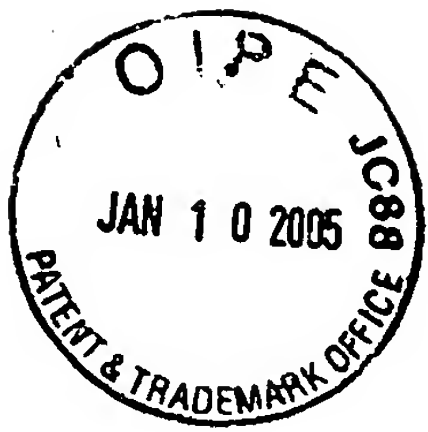
Respectfully submitted,

MCHALE & SLAVIN, P.A.

1/7/05
Date


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : Ron Devecki
INVENTION : SCUBA TANK LOCK
SERIAL NUMBER : 10/666,186
FILING DATE : September 17, 2003
EXAMINER : Gall, Lloyd A.
GROUP ART UNIT : 3676
ATTORNEY DOCKET NO. : 2486U.001

CERTIFICATE UNDER 37 CFR §1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10/29/04

Cate M. Decker, Esq.

Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

SUBMITTAL OF FORMAL DRAWINGS

Sir:

Subject to the approval of the Examiner in charge of the above-identified patent application, please substitute the enclosed formal drawings, Figs. 1-5 (3 sheets), for the informal drawings originally filed in this application.

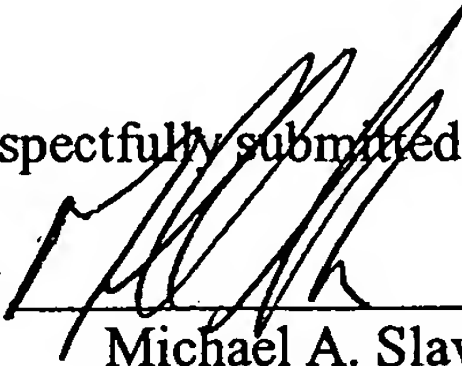
The Examiner provided a Notice of Allowance subject to the submission of the formal drawings as noted by form PTOL-37 attached to the Notice of Allowance. The enclosed drawings are believed to satisfy all requirements. These drawings are of record. No new matter is presented.

Should the enclosed drawings not be found fully in compliance with all requirements, Applicant respectfully requests prompt notice by telephone in order to accomplish expeditious correction within the term allotted.

Date 10/28/04

Respectfully submitted,

By



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Registration No. 34,016

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Facsimile: (561) 625-6572

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Date: 10/29/04 Docket No: ~~24~~ 24860 801
Ser. No. 10/686 186
Matter: Devecha

HONORABLE COMMISSIONER OF PATENTS & TRADEMARK

Please acknowledge receipt of the following by stamping the date of receipt.

☐ Cert. Of Express Mail No. _____ / ☒ Cert. First Class Mail _____

PATENT RELATED

- ☐ Pat. Appl. (spec/claims/abstract)
- ☒ Pat Drawings 3 sheets ☐ informal
- ☐ FEE CALCULATION SHEET
- ☐ Pat. UTILITY Transmittal
- ☐ Pat. DESIGN Transmittal
- ☐ Fee Transmittal
- ☐ Appln. Data Sheet
- ☐ Pat. Decl/Power of Attorney
- ☐ Pat. Assignment & PTO Form 1595
- ☐ Pat. Extension _____ months
- ☐ IDS & PTO Form 1449 _____ References
- ☐ Amend./Resp. To OA/MP dated: _____
- ☐ Transmittal Letter
- ☐ Issue Fee Transmittal

- ☐ Sequence Listing
- ☐ Computer Readable Mark
- ☐ Statements 37CFR 1.821-1.824
- ☐ Maint. Fee Sub. _____ Years
- ☐ Fee of \$ _____ Check No: _____
- ☐ Fee of \$ _____ Dep. Acct: _____

PCT APPLICATION TRANSMITTAL:

- ☐ Request _____ Sheets
- ☐ DEMAND Under Chapter II
- ☐ PCT Transmittal

Other Attachments:

Submitted y Formal
Claims

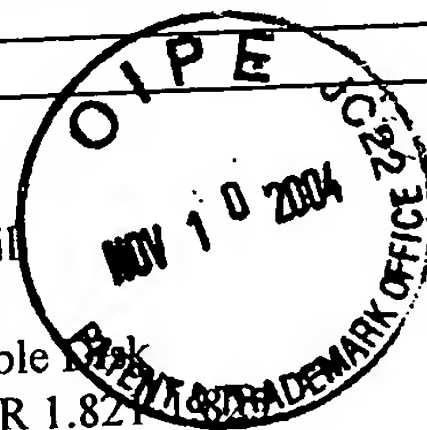


FIG. 1

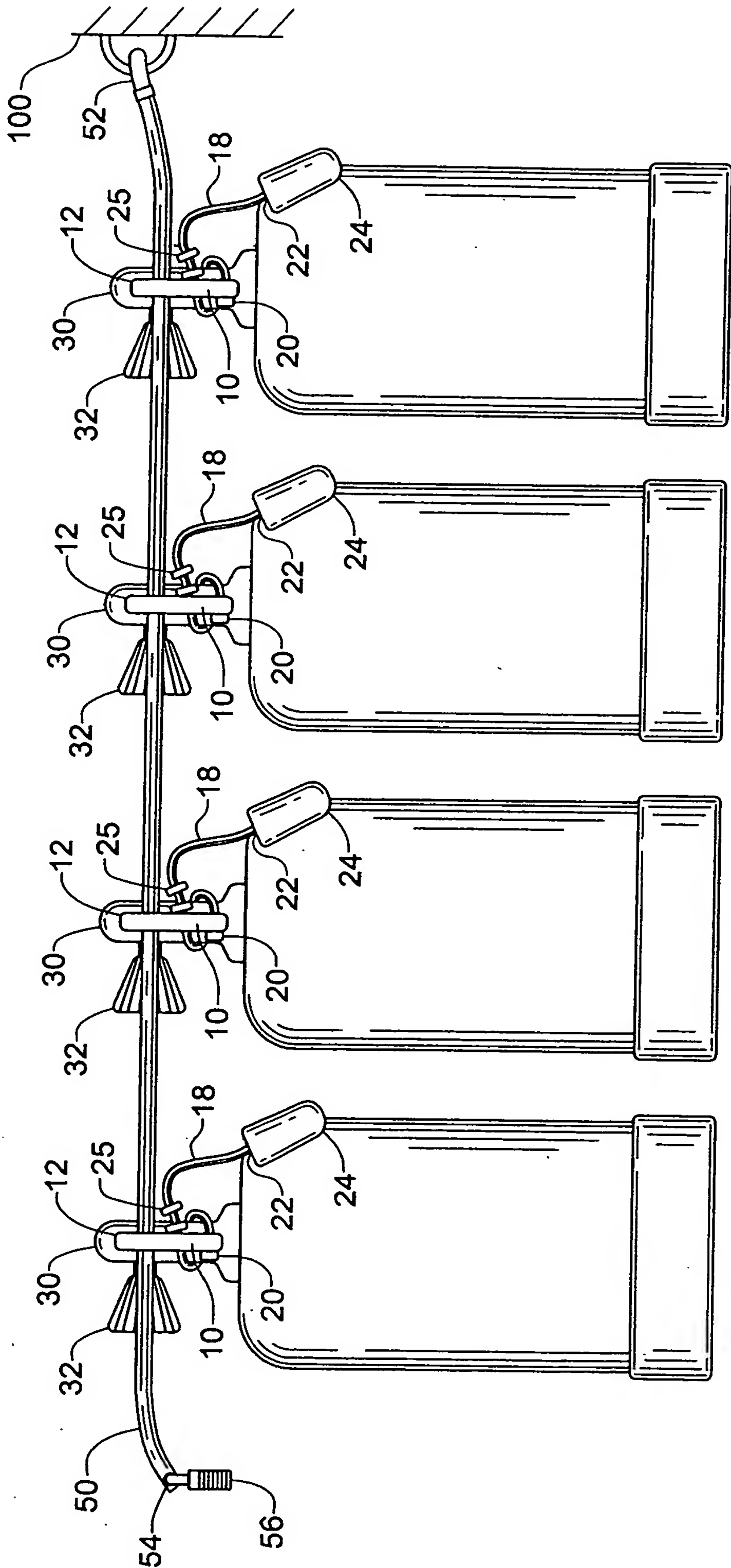


FIG. 2

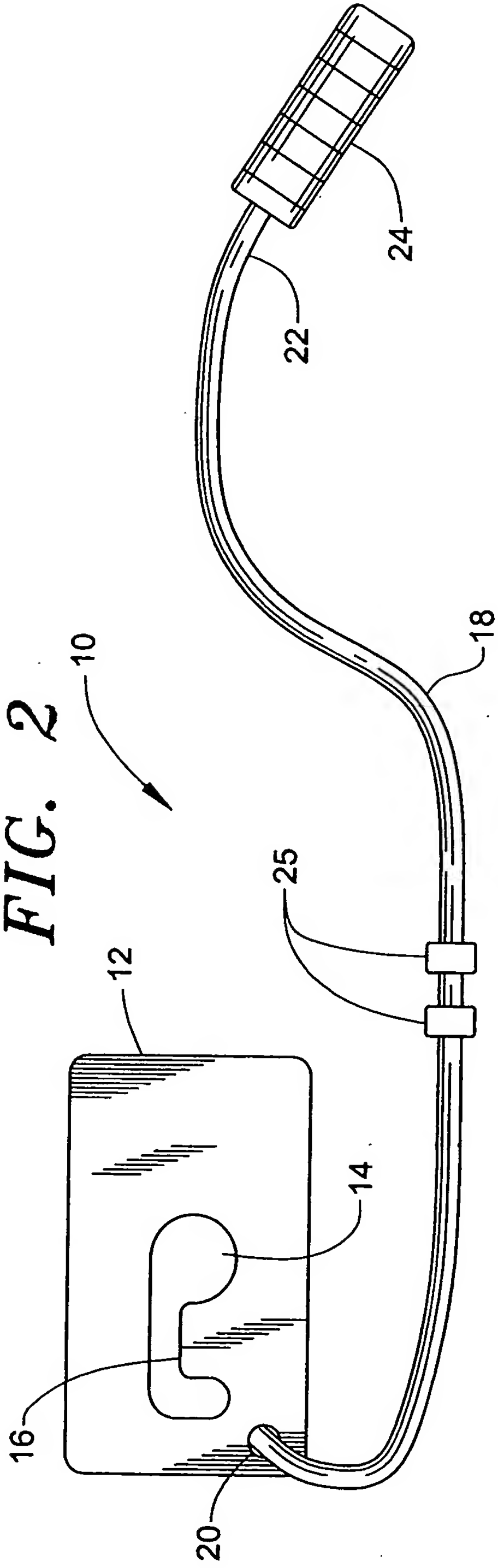


FIG. 3

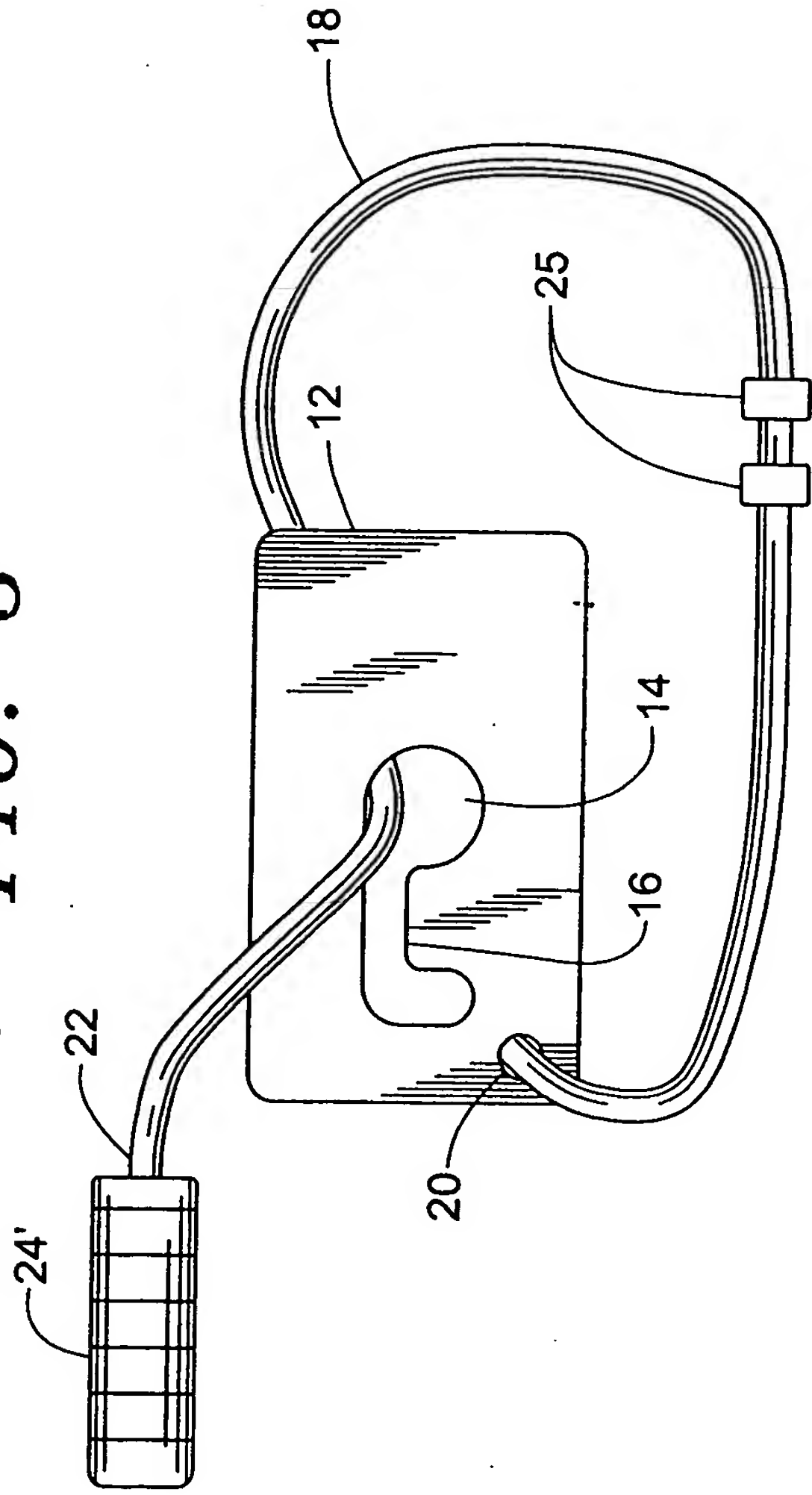




FIG. 4

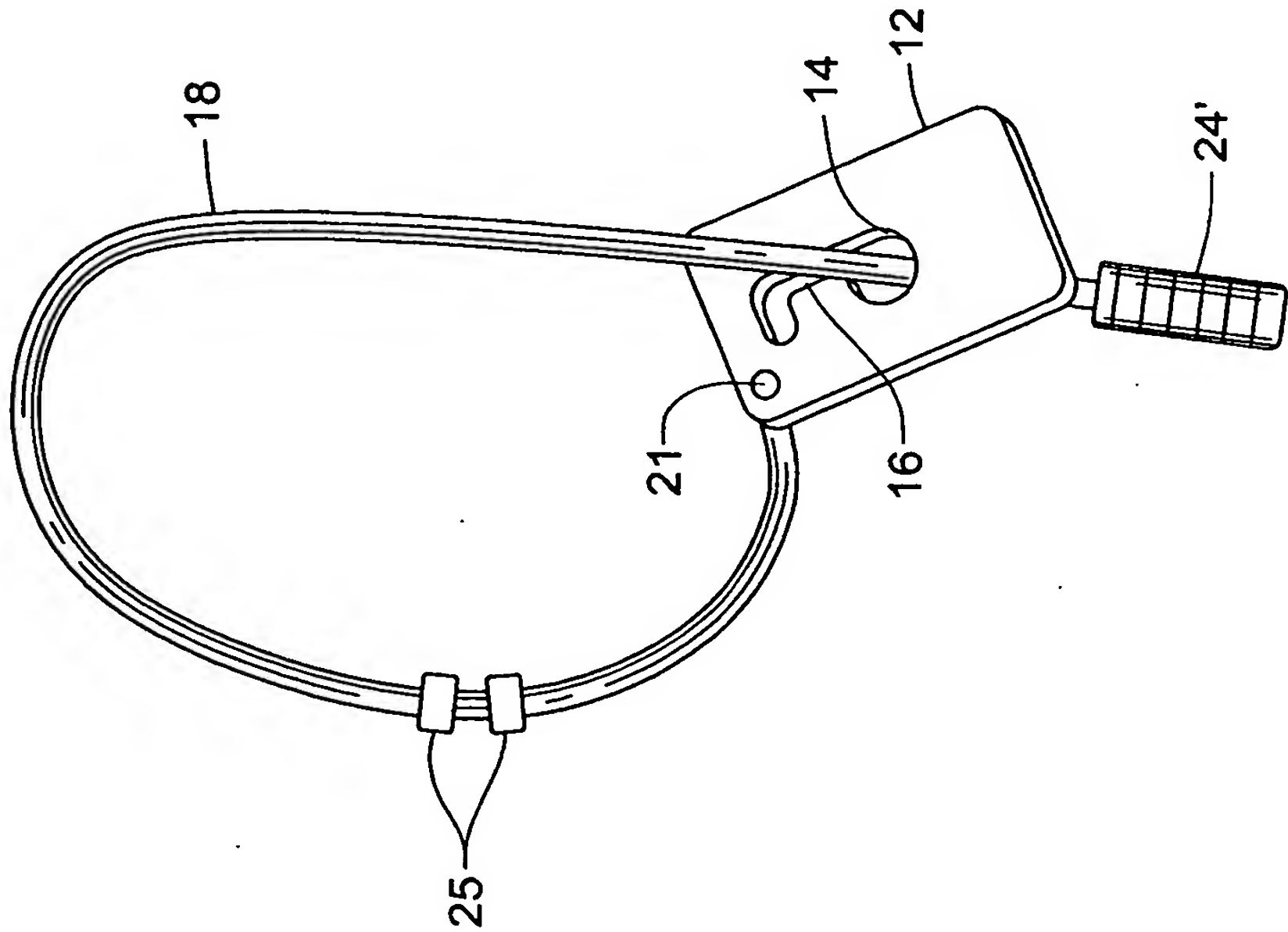


FIG. 5

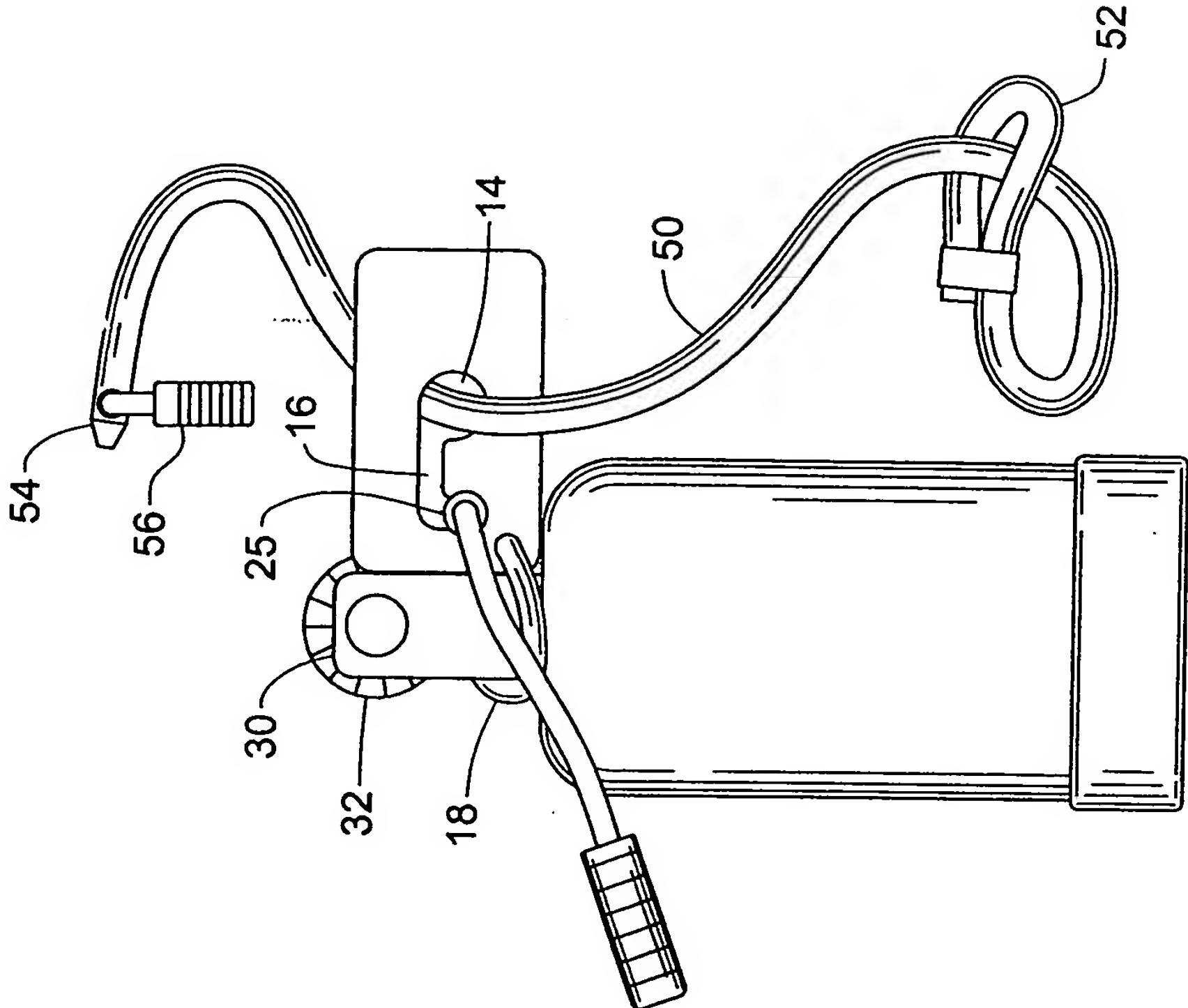
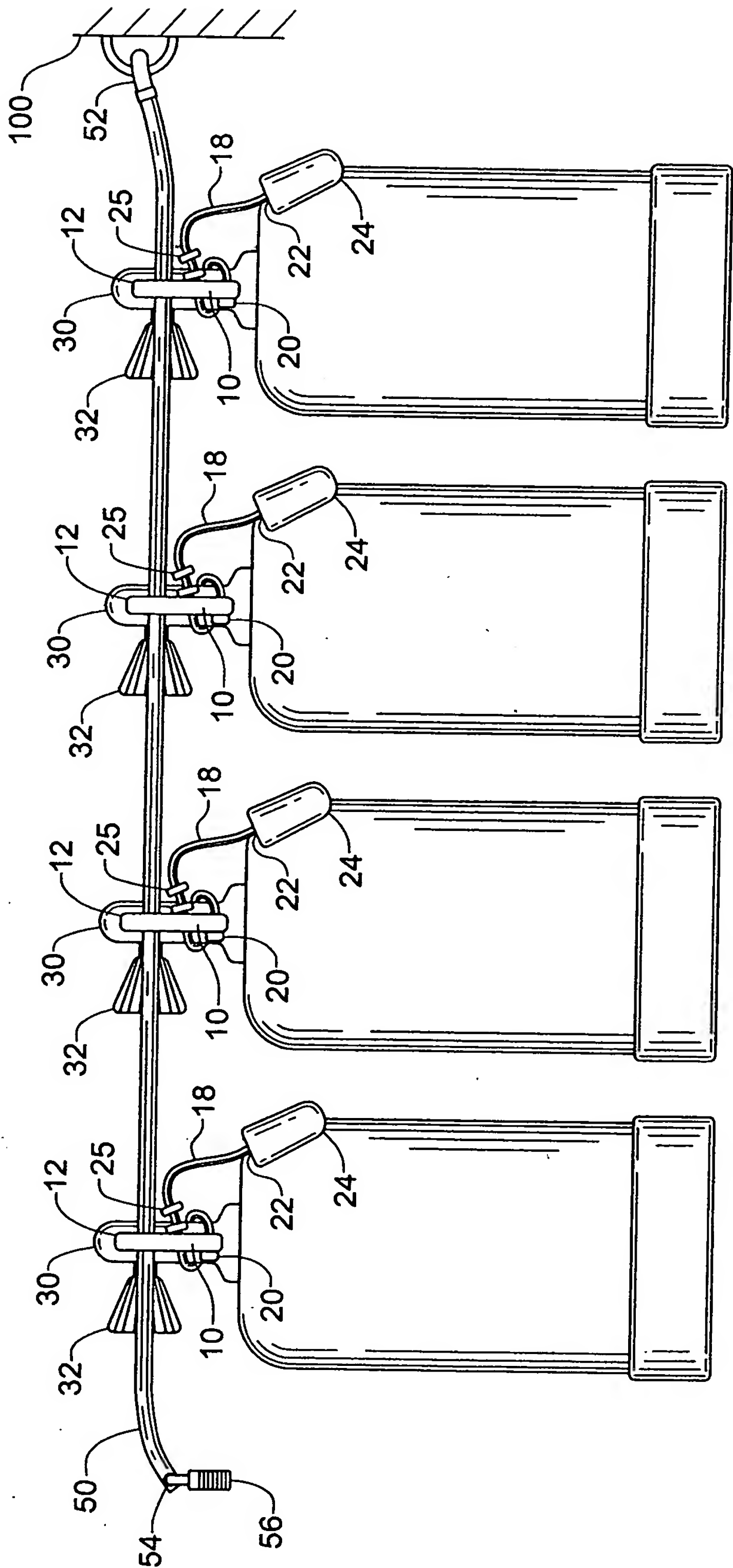




FIG. 1



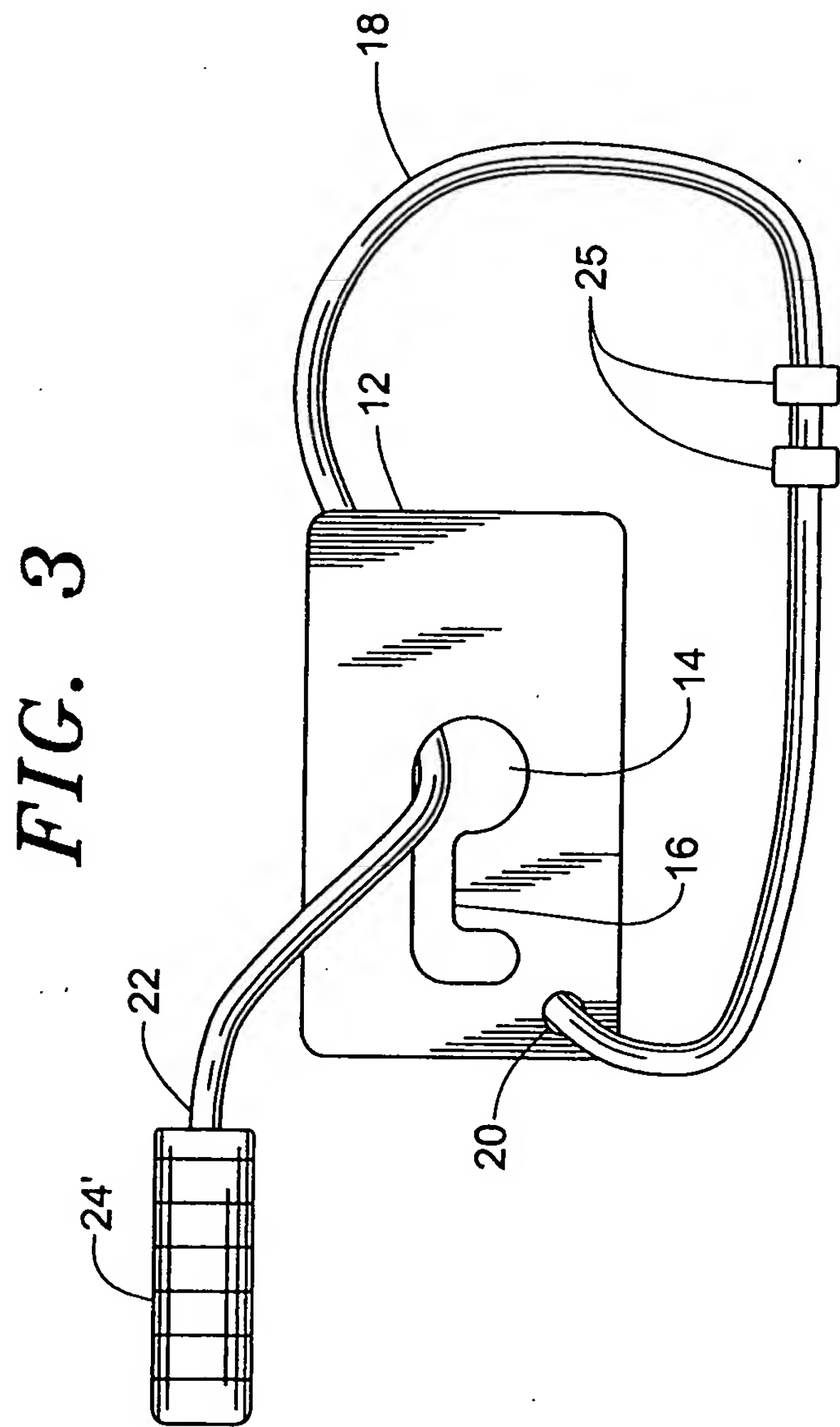
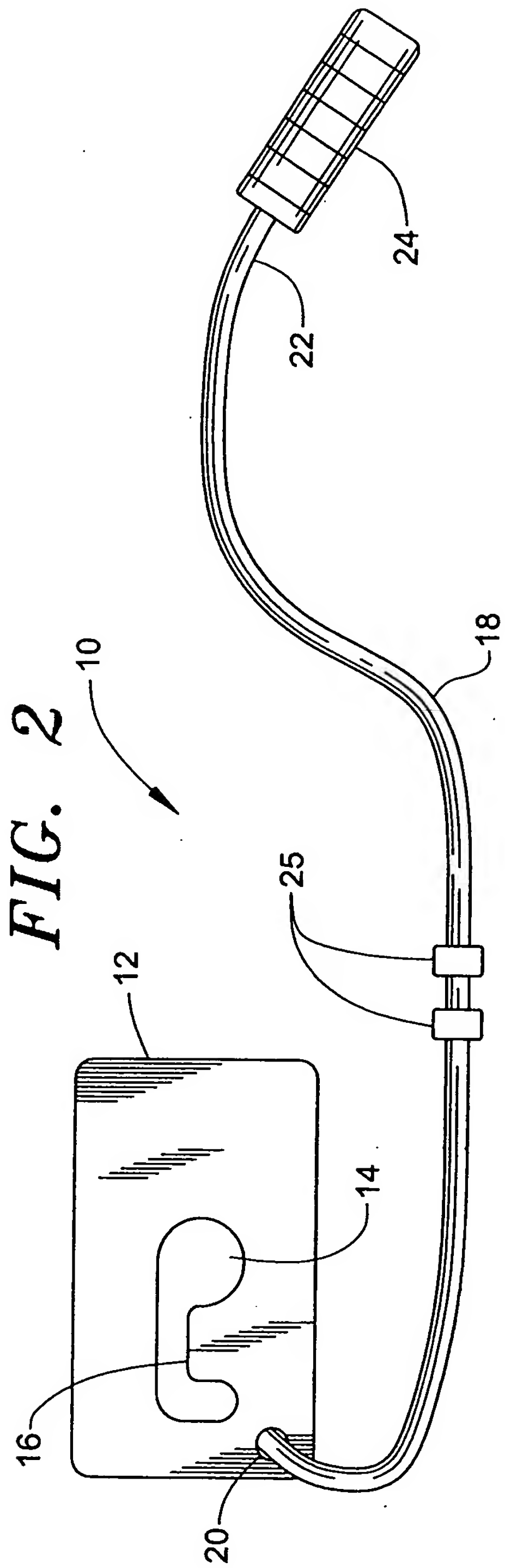




FIG. 4

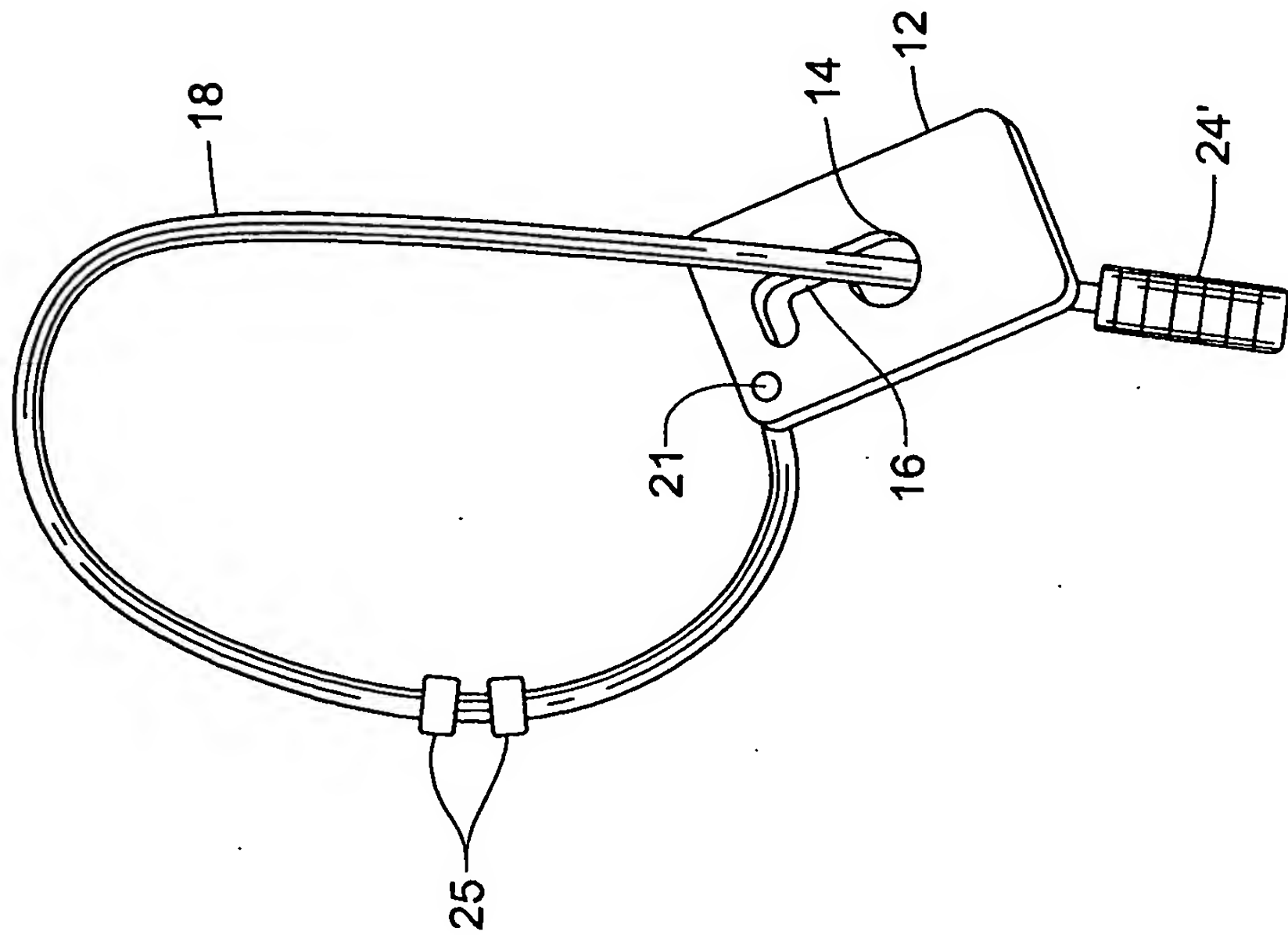
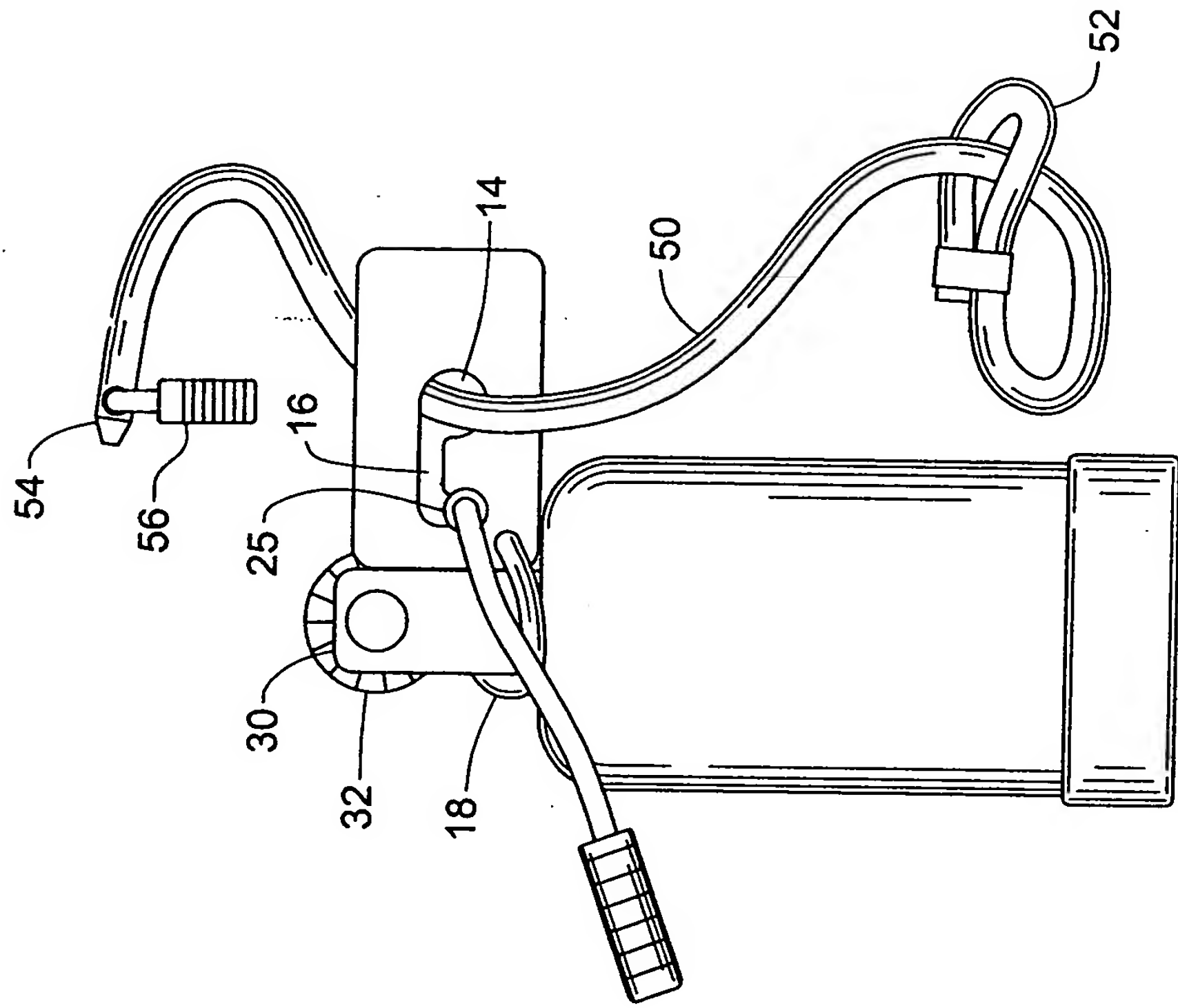


FIG. 5



**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO. : 6,829,916 *B1*
DATED : December 14, 2004
INVENTOR(S) : Devecki

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the drawings, the attached drawing Figures 1-5 should replace drawing Figures 1-5 appearing in the Letters Patent.

MAILING ADDRESS OF SENDER:

McHale & Slavin, P.A.
2855 PGA Blvd.
Palm Beach Gardens, FL 33410

PATENT NO. 6,829,916 *B1*

No. of additional copies



This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 18 2005